



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 WRIT PETITION NO. 443 OF 2024

LAXMAN VITTHALRAO DEOTKAR

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND
OTHERS

...

Advocate for the Petitioner : Ms. Vidya Kothule i/by Mr.
Urgunde Suhas P.

Standing Counsel for Respondents 1 to 3/UoI : Mr.S.W. Munde

AGP for Respondents 4 to 6/State : Mr. R.S. Wani

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CORAM : RAVINDRA V. GHUGE

&

Y. G. KHOBRAGADE, JJ.

DATE :- 12th January, 2024

Per Court :-

1. Leave to add the Deputy Superintendent of Land
Records as Respondent No.6. Addition be carried out forthwith.

2. The learned Standing Counsel for the Union of India
has appeared on behalf of Respondent Nos.1, 2 and 3. The
learned AGP appears on behalf of Respondent Nos.4, 5 and 6.

3. In similar circumstances, this Court has passed the
order dated 24.08.2023 in Writ Petition No.10530/2023 (*Kuldip
Singh Jail Singh Dhody and others vs. The Union of India and
others*).

4. The application for joint measurement has already

been filed by the Petitioner on 10.01.2024, copy of which is taken on record and marked as "X" for identification.

5. In view of the above, **this Writ Petition is disposed off** with the following directions:-

(a) The request of the Petitioner for a joint measurement as per the application dated 10.01.2024, shall be expedited and the joint measurement shall be conducted.

(b) The process of joint measurement shall be conducted under this order by the competent authority and if it is found, on the basis of such joint measurement, that the land of the Petitioner is affected on account of the implementation of the public project by the NHAI, the competent authority shall take a decision and communicate it to the Petitioner, expeditiously.

(c) Expenses of the joint measurement shall be borne by the NHAI.

(d) In case it is revealed after the joint measurement that the land of the Petitioner is not affected by the public project, the charges of the joint measurement shall be paid by the Petitioner to the NHAI within 30 days from the date of measurement.